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In re Application of
Peled, et al.
Application No. 10/573,264
Filed: March 23, 2006
Attorney Docket No. 63402A

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.182, filed January 17, 2008, to accord an amendment improperly filed in application serial number 10/573,264 on December 24, 2007, transferred to application serial number 10/573,264 and accorded a filing date of December 24, 2007.

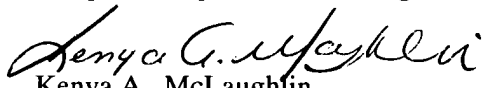
The petition is **granted**.

A review of the application file history reveals that a non-final Office action was mailed July 26, 2007, allowing a shortened statutory period for reply of three-months from its mailing date. The instant petition was filed on January 17, 2008, explaining that a timely response to the non-final Office action was filed on December 24, 2007, along with a request for an extension of time within the second month, but that an incorrect application serial number was cited on the documents. A review of the file history of application serial number 10/573,364 reveals that an amendment intended to be filed application serial number 10/573,264 was filed in application 10/573,364 on December 24, 2007.

It has been a long-standing practice of the USPTO to recognize a response as timely when it is timely received somewhere in the Office, but misrouted due to an error in the citation of the application serial number. Accordingly, the amendment improperly filed in application 10/573,364 has been transferred to application serial number 10/573,264 along with the monies remitted for the extension of time within the second month.

The application file is being forwarded to Technology Center 3600, GAU 3643 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3222.


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Office of Petitions